He Reviews the Testimony and Shows Wherein the Examiners Failed

To do Their Duty.

Full Text of the Decision and the Law

The Decision and the Law
Upon the Subject as Construed
by His Honor.

Judge Howey rendered a decision yesterday in the case of the Territorial Board of
Medical Examiners vs. Dr. E. S. Kellogg
for practicing medicine without a certificate.

Judge Howey holds that Dr. Kellogg
has not been given a fair opportunity by
the board and decides against them. The
decision is in full as follows:

In the probate court, Lewis and Clarke
county, Territory of Montana, Territory vs.
E. S. Kellogg.
The complaint in this case was filled on
June 20, 1889, and alleges that the defendant "has not before the acts Lerein set
forth, or at any time, or at ail, obtained a
certificate authorizing him, the said E. S.
Kellogg, to practice medicine or surgery in

Medical Examiners vs. Dr. E. S. Kellogg
has not been given a fair opportunity by
the board and decides against them. The
defendant has has had no
opportunity as yet to take his application that the charges
have been preferred against him and so
long as he is deprived of a certificate
through no fault of his and without the opportunity granted him in a legal way to
proun on the law. The case
forth, or at any time, or at ail, obtained a
certificate authorizing him, the said E. S.
Kellogg, to practice medicine or surgery in

PERSONAL.

The defendant has had no
opportunity as yet to take his application has been
for the decision is in full as follows:

In this case I shall hold that the defendand "unprofessional"
to the depths of which one cannot to held
more than 300 head of thoroughpore cattle,
of the well known breeds of Durham,
dereford and Galloway He is an admirer of horselfesh, and owns a great many
as good as can be found in the territory. He
has been honored with the mayorship of
his adopted city, Lewiston, for many years
and is at present chairman of the county

Many Tellera Case of the Grant in the was, and being so ther
outhat the case in the that the case in the case is the capital of the new state.

Judge Rand is 69 years of age and in Spears of age and is 69 ye

Kellogg, to practice medicine or surgery in any of their departments, within the territory of Montana, as required by law to be obtained by all persons practicing medicine | Chas. Bowers, of Livingston, is at the or surgery, as aforesaid." Then follows | Merchants the particular instance with which the de- Wm. S. Clark, of Great Falls, is at the fendant is charged with violating the law. The case came regularly on to be heard on June 27. The defendant entered a plea of "not guilty," and the following state of facts was disclosed during the trial: First. That the defendant on the 8th day

of May, 1889, made application to the board of medical examiners for a certificate to practice medicine, and at the same time he sent to the board his diploma from a medi-cal college and fee of \$15. Second. That the application of the defendant was considered by the board and the secretary was instructed to notify the defendant to appear before the board. Third. That the following note was sent

by the secretary and received the docu HELENA, Mont., May 9, 1889 .- E. S. Kel logg, M. D., Heiena, Mont.—Doctor: I am instructed to cite you to appear before the board at 1:30 o'clock p. m. this day, to show cause why a certificate to practice should not be granted you on the ground of "im-moral and unprofessional conduct."

Respectfully, E. CRUTCHER, Secretary Board Medical Examiners.
Fourth. That the defendant replied to
this, by telephone, to the effect that if the
board would prefer charges he would meet

Fifth. That on or about May 13, 1889, the secretary of the board informed the d fendant by letter that the board had r endant by letter that the board had be jected his application on the ground of "immoral and unprofessional conduct."

Sixth. Defendant admitted that he has been and is practicing in his profession, as physician and surgeon, since he was noti-fied by the secretary of the board that his spilication had been rejected.
Sec. 3 of the law reads as follows:

Every person wishing to practice med-leine or surgery in any of their depart-ments within this territory, shall do so only upon complying with the requirements of this act. If a graduate in medicine, such person shall present his or her diploma to the territorial board of examing of facts overruled and judgment ordered entered in accordance with the vertical board of examinance. ers, for verification as to its genuinen theres, for verification as to its genuineness. If the diploma is found genuine and is ishe person to whom the same was origin-dly granted, then the territorial board of effect, and such certificate shall be conclu-sive as to the right of the lawful holder thereof to practice medicine and surgery

The latter clause of section 4 reads as and shall be paid by the applicant to the treasurer of said board, to be applied by said board toward defraying the expenses thereof; and such board may refuse or reprofess to cure or treat disease, injury of deformity in such a manner as to deceive the public. In all cases of refusal or revocation, the applicant, if he or she feels and costs.

Cummins vs. Sanford; stay of execution countries of the district court of the dist aggrieved, may appeal to the district court of the county where such applicant may have applied for a certificate."

Cummins vs. Sanford; stay of execution granted for twenty days.

L. Hershfield vs. Carl Kleinschmidt; de-Section 7 provides that "any person prac-ticing medicine or surgery within the ter-ritory without first having obtained the

certificate to practice herein as provided for or contrary to the provisions of this act after the expiration of sixty days after thi act takes effect, shall for each violation of of a misdemeanor and upon conviction shall be fined not more than five hundred (500) nor less than one hunred (100) dollars, or by imprisonment in the county jail for not more than ninety (90) days nor less than thirty (80) days or by both such less than thirty (30) days, or by both such fine and imprisonment, as the court may determine." The probate courts of the several counties of the territory shall have jurisdictions over violations of the provisions of this act. It shall be the duty of the reservice county atterness to prose

e respective county attorneys to prosente violations of this act," etc.

This defendant is charged with a crim al offence, in violating the provisions of ircumstances surrounding him at the time of the commission of the act must be taken under consideration. Justice Clifford in the case of the United States vs. Cruikshank et al., 02, U.S. S. C. reports, page 564, uses this language: "Every offence consists of certain acts done or omitted under certain circumstances." Admitting the fact that the defendant has been practicing medicine and is still so practicing without a certificate from the board of medical examiners as required by law, are

o make it a criminal offence on the part of To answer this question, we must again refer to the state or facts. In the first place, has the defendant complied with the law, in making his application to the board in due form for a certificate? The evidence shows, and it is not denied, that he did fully conform to the requirements of the law by forwarding his diploma and the fee

In the second place, has the defendant In the second place, has the derendant had due and legal notice that his application was rejected by the board, and has he had the opportunity to conform with the law and take his appeal to the district court, in case his application has been rejected by the board, as provided in sec. 4 of this act? This I regard as the essential point to be decided in this case, and leads to the consideration of his case, and leads to the consideration of the notice sent by the secretary of the board to the defendant, citing him to appear. The language of this notice is: "I am instructed to cite you to appear before this board at 1:30 o'clock p. m. this day to

show cause why a certificate to practice should not be granted you on the ground of "immoral and unprofessional conduct." the ground of "unprofessional, dishonora-ble or immoral conduct." Has the board, in a legal and regular way, proceeded to refuse the application of the defendant and given him due notice so that he could pre-serve his rights, take his appeal of pro-vided for and fully conform to take law? Before the defendant come convicted of a crime under this law? It must be shown

that he has fact to comply with its provisions and further that every legal right to wich he is entitled has been accorded for five years.

Has he been given an opportunity to answer to the board concerning those matters which the law defines as sufficient cause for a denial of a certificate?

Article VI of the amendments to the constitution of the United States guarantees to everyone accused of a crime certain rights which cannot be denied him such as "in all criminal prosecutions the accused shall be Spokane, the Derby Winner. Spokane, Montana's pride, will surely appear at the St. Paul races. The Moncriminal prosecutions the accused shall be informed of the nature and cause of the accusation; to be conconfronted with the witnesses against him." etc.

July 21, good to return to August 2.

In connection with the above tickets be sold to Chicago and return at \$71.90.

Gratifying to All.

In the United States vs. Mills, 7 page 142, this was construed to mean that the indictment must set forth the offense, "with clearness and all necessary certainty, to apprise the accused of the crime with which he stands charged," and in the value of v

alleged."

In the United States vs. Cruikshank et al., 92 U. S. S. C. reports, page 557, these words are used, viz: "It is an elementary principle of criminal pleading that where the definition of an offense whether it be at common law or by statute includes generic rms, it is not sufficient that the indictions, it is not sufficient that the indictions in the same for the same for the same for streets and alleys. This will make lots cost less than \$18.50 each. Terms, \$2,400 cash; balance, one, two, three and four years, eight per cent.

No M A Union Block, Over Lang's store.

'unprofessional, dishonorable aduct," as used in the law, igns, and specific charges Gamer's for \$1 that will give relief.

must be made under these terms. To my mind it is a clearly defined and well established principle of law, that where any person is charged with the commission of an offense or the omission of a duty (especially a criminal offense), whether before a court, a commission or a board, he has the undoubted right to be furnished with and to demand a copy of every charge and specification stated in unequivocal language. In this case it appears in evidence that the defendant asked that the charges be furnished him, and if so he would

that the defendant asked that the charges be furnished him, and if so he would answer them. It does not appear that the board formulated any charges, or if so that the defendant was duly notified of them. If specific charges had been prepared against the defendant, if he had been duly notified the defendant, if he had been duly notified the defendant, if he had been duly notified to the decisive vote favoring the latter cast the decisive vote favoring the latter and furnished with a copy of such charges and cited to appear in answer and, further, if he had refused to answer or failed to from his friends in Missoula and Deer

and served as city attorney for ten years, and is at present chairman of the county board of commissioners of Nez Perce county, was first vice-president of the Lewiston National bank, and is still owner of a large block of the stock.

Being one of the pioneers of Montana, and progressing a very active mental organ. Dr. L. E. Holmes, of Butte, is in the city-

PERSONAL

Mrs. Thomas Weir, of Granite, is in the

W. W. Corbett, of Great Falls, is regis-

P. McDonnell, just from the "owld sod," is a guest at the Grand Central.

Dr. E. N. Stump and Geo. F. Glaser, of

Henry Barbour has returned from the

in the interest of the big type founders,

ministratrix, et al; defendant's motion for

judgment on pleadings as to title of prop-

Kearns vs. Landin; defendant has ten

The box offered by Goodyear, Cook &

Dillon to a person solving the 21 puzzle has

been awarded to A. Zimmerman, who

Seven plus 5 equal 12, plus 3 is fifteen, divided by 1 is 15, plus 1 is 16, plus 5 is 21.

Mr. Ballamy's solution is less complicated

An endless variety of fancy chinaware very cheap at The Bee Hive.

At the Opera House.

Lutheran chuch. There was a large at-

selves admirably. Miss Rosenfeld is an

actress of superior ability, and why she is

satisfied with being content in winning

plaudits for acting with amateurs when she could win name and fame on the stage

EXCURSION RATES

To the National Educational Association

Meeting.

The Union Pacific Railway company

will sell tickets from Helena to Nash-

ville, Tenn., from June 30th to July 14th.

good box of cigars for the most comical float or display in the parade on the 4th.

See'l See! See!

is a mystery.

"Deborah" was given at the opera house

days to answer. Sweet, Dempsey & Co. vs. Hanner; de-

murrer of defendant overruled

gives the following solution

Denver, are at the Cosmopolita

Grand Central.

city visiting friends.

Marder Luse & Co.

new trial

Being one of the pioneers of Montana, and possessing a very active mental organization, he had as much to do toward shaping Montana's future as any man in the territory. He loves to talk of his old friends in Helena, and made special mention of Colonel Sanders, Warren Toole, Colonel Collen, Chadwick and many others of equal notoriety in shaping the great state.

JAMES H. MILLS.

He Assumes the Duties of United States
Internal Revenue Collector.

The blus were referred to the committee on public works, the sewerage committee and the city engineer.

Bids for furnishing the city with brief Internal Revenue Collector.

Capt. James H. Mills was duly inducted into his new office yesterday, and hereafter he will be known as United States Collector of Internal Revenue Mills. James Shields, the retiring collector, who so efficiently states as the sewer pipe bids.

Bids for furnishing the city with brick were opened as follows: S. T. Porter, \$9.65 oper thousand; Nick Kessler, \$9.75 per thousand; helena Pressed Brick Company, \$9.95, \$8.65.

The bids were referred to the same committees as the sewer pipe bids. east. He saw Spokane win the American C. C. Webster, of St. Paul, is in the city be with de known as United States Collector of Internal Revenue Mills. James Shields, the city yesterday on business connected with his office.

Miss Mary Bishop, of Butte, is visiting the capital, and will remain a few weeks, the guest of Miss Louise Mann, No. 811

North Rodney street.

Mills City M. A. Well of the Rodney and the city yesterday on business connected with his office.

The bids were referred to the same committees as the sewer pipe bids.

But one proposal for manhole covers and drip basins was received—\$15.95 for the iron cover, brick work and \$6.05 for the iron cover, the same committees.

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Through trains leave Helena daily at 11:35 a.m.

Through trains leave Helena daily at 11:35 a.m. W. W. Allerton, Miles City; M. A. Well-fice long enough to before familiar with A. D. Guy...... man, Augusta; Mrs. C. Stanford, Fort Ben-

The Montanas defeated the Northern Paific nine Sunday by a score of 9 to 3.

erty in controversy sustained.

T. H. Kleinschmidt et al vs. L. B. Wells of the Eikhorn branch of the Northern Pa-

the person to whom the same was originally granted, then the territorial board of commercial company, the court ordered commercial company. done.

The girls expecting to represent the states and territories in the Fourth of July parade are requested to meet Prof. Beggs this afternoon at 4 o'clock at the residence of Col. C. D. Curtis.

The entertainment one mileage serving papers.

Charles D. La Breche vs. Frank Terreault; judgment for plaintiff per stipula-

tion.

Mary Irvin vs. Wm. Irvin, divorce; decree granted plaintiff and custody of child.

Brooks vs. Jordan; defendant has thirty days to prepare statement on motion for church, Friday evening, was a grand suc-cess. The quartet of Helena rendered very efficient service and was heartily encored. Two hundred people were present. Net receipts over expenses, \$80. A big burly 220 pounder interfered with Gans & Klein vs. Hammer; complaint the salvation army near the barracks last evening when Officer Best arrested him. When he reached the Cosmopolitan the fel-low showed fight and it required the united

Sam Cohen and L. D. Jackson, the latter collector for S. E. Atkinson, assignee of Jurgens & Price, engaged in an altercation over the collection of a bill yesterday, resulting in the arrest of both. They were released on bonds to appear this morning in the police court.

The Comstock Mining and Milling company has filed articles of incorporation to develop the Boulder mine, in the Cataract district, Jefferson county. Capital stock, \$500,000. E. D. Edgerton, R. A. Luke and G. B. Child are incorporators. The principal place of business is in Helena. Water was struck in an artesian well at depth of 56 feet, at Gibert Ben dict's Sunday night by the young people of the arm, nine miles north of this city. A

> 21 feet. The bore is piped to a depth of 0 feet and is 5% inches in diameter. Carrie Nesbitt, the opium fiend who is so well and unfavorably known in police circles, was arrested Sunday night for creating a disturbance in the Wooldridge House. She saved herself from a ring.

The sidewalks in Iront of "Tommy" Cronin's and Dell Dick's are of cement in colored octagon blocks. The work was done by the Helena Cement Stone Works. The walks have attracted considerable attention and several other business houses

similarly laid.

On the Montana Central yesterday a colt ran sit limits in each direction (6) days. For further information call at the Union Pacific office, No. 28, north Main street.

A. E. Veazie, Passenger Agent.

Swend Carlson offers a prize of \$10 or a Swend Carlson offers a p are contemplating having their sidewalks

\$75, \$85, \$90, \$95 and \$100 at the only ex-The new St. Paul's Methodist Episcopal church is to be opened for services to night for the first time, when Rev. A. S. Hunt, D. D., of New York city, will preach. This service will be introductory to 2.23 res of evening services during the session of the of Montana, Jackson's Broadway music We have to arrive by passenger train

Tuesday a car of the celebrated George D. I church will participate. The Helena and Bozeman game Sunday Kellogg Newcastle fruit; also car Geofgia The Helena and Bozeman game Sunday resulted in an easy victory for the home team. There was quite a large attendance. The players were the same as published. For Bozeman, Lyons scored the only run, which was made in the third inning. In the seventh inning Helena had twenty runs, they were whitewashed in the eighth and did not play in the ninth. melons, car fancy bananas, direct from steamer New York, car cabbage and potatoes. Yours truly, M. G. Cohn & Co. Those beautiful, large size, new pianos A thief stole two pair of Burt & Packard at Jackson's Broadway music house for the

shoes from Fred Gamer's store Saturday night. He was detected and a lively chase followed, the thief dropping the shoes and the cry of "stop thief" by John Worth attracted general attention. On Edwards street Dunc Me-Donald assisted in the chase and complete. lowest price ever offered in this glorious state of Montana-\$275-fully warranted Donald assisted in the chase and caught the thief who was yesterday sent up for thirty days in the county jail.

thirty days in the county jail.

George Reed, son of the proprietor of the S48.90 for the round trip. Tickets on sale July 21, good to return to August 2.

In connection with the above tickets will be sold to Chicago and return at \$71.90.

Gratifying to All.

The high position attained and the universal acceptance and approval of the pleasant liquid fruit remedy. Syrup of Figs.

thirty days in the county jail.

George Reed, son of the proprietor of the Grand Central hotel, and Miss Sarah Hicks were quietly married last evening at Silver Creek, the home of the bride's parents. Only the relatives of the contracting parties and a few intimate friends witnessed the ceremony. Mr. and Mrs. Reed will at once go to housekeeping at Mr. Reed's farm in the Prickly Pear valley. A number of valuable presents were received.

The Monday and Tuesday the greatest bargain ever offered at this very low-priced emporium. One hundred dozen of ladies' imported brilliant Lisle thread hose, regular price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and also of other goods offered very low.

Kohlberg & Co.,

The Monday and Tuesday the greatest bargain ever offered at this very low-priced emporium.

One hundred dozen of ladies' imported brilliant Lisle thread hose, regular price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the price of three pair for \$1. Be sure and the pr

Fourth of July Rate. The Montana Central Rallway company will sell round trip tickets to all points on

their line for a distance of 800 miles at one fare for the round trip on July 2nd, 3rd and 4th, good to return up to and including July 5th. P. P. SHELBY, General Manager.
JNO. J. FALLON, City Ticket Agt.
84 Granite Block
Swend Carison wants 200 dummies

CITY COUNCIL.

Bids Opened for Furnishing the City With Sewer Pipe, Cement and Vitrified.

Proposals for Grading Bridge Street and Fifth Avenue Considered and Referred.

gle Over the Hershfield and

special session, Mayor Fuller in the chair. Present, Donnelly, Lissner, Harrison,

Richards, Brown, Klein, Adkinson, Dunn The meeting was called for the purpos of disposing of bids for sewer pipe, etc Connections 40 cents each, the pipe to

Monmouth Vitrified Pipe Works, by

8 inch27½ 12 inch ... 9 "32½ 15 " ... 10 "42 18 "1 17 18 "

The bids were referred to the committee

of office before United States Attorney
General Cullen. As seen as he is in his of-

The contract was awarded to A. D. Gu Bids for constructing a sidewalk on Fift

on streets and alleys.

Alderman Loeb moved to reconsider the motion by which the contract for building

sued by a medical school, legally organized and in good standing, whose teachers are graduates of a legally organized school which fact the territorial board of examiners shall determine, and if the person presenting and claiming such diploma be the person presenting and claiming such diploma be the person of the person whom, the same was critical time to file statement on motion for motion for Butte-Galiatin branch.

Seven tramps were run out of East Helenal time to file statement on motion for Butte-Galiatin branch.

Seven tramps were run out of East Helenal time to file statement on motion for Butte-Galiatin branch.

Seven tramps were run out of East Helenal time to file statement on motion for Butte-Galiatin branch.

The veto of Mayor Fuller to an ordinance amending ordinance No. 9 was read. It is a follows:

"To the honorable, the city council:

To the honorable, the city council:

To the honorable, the city council:

1 return herewith without my signature and claiming such diploma be order limited to fifty inches of water.

A fire was discovered about 5 o'clock A fire was discovered about 5 o'clock yesterday morning in the rear of a Chinese laundry adjoining Weir's stable, but it was meant to correct an evil, which has

person only, who is utterly unable to prevent them from running over sidewalks and doing damage to shrubbery, trees and lawns. It is proposed by this ordinance to limit the number of cattle that may be put in charge of one person to six. I regard this limit as too severe, and fear that it would work a hardship upon a great many poor people who keep cows which are driven to pasturage adjacent to the city in the morning and returned to their owners in the evening. If the number were placed at twelve or lifteen I believe that this objection would be avoided and the beneficial purposes of the ordinance secured in an equal degree.

The second section increases the charge against every animal impounded from one to three dollars. It sometimes happens

granted for twenty days.

L. Hershfield vs. Carl Kleinschmidt; defendant has until August 1 to file answer.
Henry Oelgardt was admitted to full citizenship of the United States.

There will be a necktie social given at the Good Templars' hall this evening by the J. E. club. The ladies are requested to bring a necktie made from the same material as their dresses. All come, as there will be literary exercises and a good time of the council whether the present fee, in addition to the cost of keeping, is not sufficient.

Alderman Harrison moved to amend by placing the number of cows at 13. Car-ried, Aldermen Klein, Lissner and Brown voting in the negative

The contracts for grading Bridge street and Sixth avenue were awarded to Emil Kluge.
Sanford & Evans were awarded the contract for furnishing the city with lumber.
Ferrie & Purcell were granted a drain layers license.

Fire Marshal Witmer reported that the planing mill of Campbell & Burke near the Montana Central depot was a menace the Montana depot was a menace the Montana depot was a menace the Montana depot w

The matter was referred to the commit

House. She saved herself from a ninety days' residence in the county jail by promising to leave the territory within twenty-four hours.

A communication from the Helena Gas company asking that workmen employed by the city in the construction of sewers be instructed to use greater care when uncov-line instr ering gas pipes was referred to the city en The claim of W. A. Greenwait for wage due him for time lost occasioned by bein hurt while in the discharge of his dutie

\$105, was allowed.

Alderman Harrison offered the plat of the Villard addition, and moved the owners be allowed to maintain their platting from the blocks Nos. 16, 17, 18. He stated that the owners were willing to replat the other portions of the addition. The motion was lost by a vote of 6 to 5.

A well known attorney, who resides on the west side, telephoned to police head-quarters Saturday night that two burglars were in his house. Three of the "finest" were hastily sent to the place, and a thorough search of the premises only revealed the presence of two harmless mice which had been creating quite a disturbance.

The new St. Paul's Methodist Episcopal blocks Nos. 16, 17, 18. He stated that the owners were willing to replat the other paddition. The motion was lost by a vote of 6 to 5.

Alderman Klein offered the plat of the Hershfield addition for acceptance or rejection, and moved that it be accepted. The same old squabble ensued, and Alderman Marison, Donnely, Thieme and Washburne were excused from voting. Lissner, Klein, Brown, Spencer, Adkinson and Richards voted for it but as there was no quorum the motion to adopt the plat of the Hershfield addition, at foo of Main street, at \$520.

A fine corner in Bassett's addition lots at \$250.

Broadway frontage, \$2,000.

A fine corner in Bassett's addition lots at \$250.

Syndicate addition lots at \$250.

A follotorion for acceptance or rejection, and moved that it be accepted.

The same old squabble ensued, and Alderman Klein offered the plat of the Hershfield addition, and moved that it be accepted.

The same old squabble ensued, and Alderman Merchanical and the first of the Hershfield addition. The motion was addition with the owners were willing to replat the other portions of the addition. The motion was addition was a protions of the addition.

The new still plant the first was a to the owners were willing to replat the other portions of the addition. The motion was addition to a sceptance or rejection, and moved that it be accepted.

The same old squabble ensued, and Alderman Merchanical and the first was a sceptance or rejection.

The new still plant the other plant of the Hershfield addition for acce

Ladies' underwear at a great bargain for all at The Bee Hive.

Excursions For Fourth of July and Butte Races, The Northern Pacific railroad will make a rate of one fare for the round trip between all points within a distance of 3 miles. Tickets on sale July 2d, 3d and 5th good to return until July 5th.

On the same date tickets will be sold from all points between Bozeman and Missoula to Garrison and return at a rate of one fare for the round trip, account of the rate between Garrison and Butte. Tickets good returning until July 7th inclusive. A. D. EDGAR,

to all visitors to Helena, The Bee Hive will

Flambeau Club U Parties having uniforms of the Flambeau ciubs and who will be unable to parade July 4th will please leave them with John J. Fallon at Montana Central ticket office, Granite block. Those intending to parade having uniforms leave names with Mr. Fallon.

Per order committee.

Yellowstone National Park. Commencing June 3 and continuing un-til Sept. 27, the Northern Pacific railroad NOTARY and CORPORATE. will make a rate of one fare for the round AT KEMP'S ASSAY OFFICE.

on and either a \$30 or \$40 book ticket

\$70 A FOOT buye a choice Main street corne

\$8000 WILL PAY for a store house on Main street; rents at a good figure.

\$12000 FOR an excellent store house of

\$35000 PAYS for a handsome two-story and basement brick s ore house in central and descrable location on Main street.

\$7875 WILL BUY the only corner of Broad way and Warren streets.

\$1250 FOR choice business lot in Northern Pacific addition.

\$2000 BUYS three excellent lots near Hel

HOR SALE-105 feet front at 316 Pine street Inquire on premises or 15 Edwards street

OUSE and Lots for sale. A Brick House of eight rooms, corner of Rodney and Bridge sts., 73x96 feet, 16 fine shade trees; also 50 feet adjoining same fronting on Bridge st.; also 161 feet fronting on Rodney st. and 52 feet deep, Opposite new residence of A. G. Ciarke.

R. P. STOUT, Agent,
102 South Rodney st.

Situations Wanted.

Advertisements under this head will be in

WANTED-A position in store or office. Best of eastern references. Address L. B., this

A GOOD strady boy 16 years of age, wants som kind of work. Address D. M., this office.

THOROUGHLY competent woman wants to take charge of boarding house in mines; good cook, Address R. D., this office.

WANTED—A situation at any kind of work, by a well educated swede; speake English, der-man and Scandinavian. Five years business ex-perience. First-class references. Address K. L. E., Independent office.

WANTED-Situation by an experienced phar-macist; can furnish best of references and has attended Philadelphia college of pharmacy. Address W. S. Dalton, Butte, Mont.

Situations Offered.

H BLENA EMP OYMENT OFFICE-Girls for piaces and piaces for girls at 212 Law.

MATHESON & STEELE 129% Main Street.

WILL RENT:

Room brick house Eighth avenue; \$20

Room house N. P. addition; \$15.

 A^{ND} several others in all parts of the city.

HOR RENT-Ten room house. Apply to A. J. Steele & Co.

FOR RENT—A very pleasant five room dwelling house on South Rodney street. Apply to 1: F. LaCroix & Son, room 20, Pitteburgh Block.

POR RENT-Storerooms in Pean block, also storerooms and offices in Pitteburgh block. Inquire of John W. Thompson, room 12, Pitteburgh block

Rooms-Furnished and Unfurnished.

NOR RENT-First floor 1027 Bighth avenue, on

FOR RENT-Three furnished rooms for house-keeping. Enquire on premises, 424 Harri-son avenue.

NICE Y furnished room, with or without board, No. 53 south Rodney street, Mrs. E.

HARVEY HOUSE, Grand street, new and elegantly furnished rooms, single or in suite

R oms Wanted

Wanted-A furnished room, with or with-out hoard state price and location. ed-dress Permanent, P. O box 534

Lost and Found.

OLD papers for sale at this office.

serted three times free of charge.

through the park. These tickets include rail and stage transportation from Livingson and four and five days, respectively, board and lodging at the Park association's hotels. For further information call at the Northern Pacific ticket office.

A. D. EDGAR, General Agent.

Buy your flags, bunting and Japanese lanterns at The Bee Hive. \$35000 FOR fine hotel property. Finest le \$500 A FOOT for choice Main street prop

o purchase a round-trip ticket to Livings-

Real Estate Transfers. The following real estate transfers we filed in the recorder's office yesterday:

filed in the recorder's office yesterday:
Samuel T. Hauser et ux to Katharine L.
Ming, fourth interest in the s hf of the
nw qr of sec 29, tp 10 n, r 3 w. St.
William W. Reinig to James Perkins, tot
12, bik 85, Northern Pacific addition.
William W. Reinig to James Perkins, lot
14, bik 85, Northern Pacific addition.
Lucy Semple Ames to Ben Helm, lots 5, 6,
7, 8, 9, 10, block 198, Ames addition.
Charies J. Pratt to Maicoim M. Moore et
al. the Ella Howard quartz lode, at the
head of Dry guich.
F. Langford et ux to G. C. Smith, lot in bik
L, Manidin addition.
Probate Judge to Herbert B Reed, lots 8,
9, 10, bik 67, Helena townsite.
James Blake to Saloma Brayman, lot 14, bik
F, Blake addition.
James Blake et al to Henry R, Davies, the
Florence Knight quartz lode......

If you intend to decorate on the Fourth select your decorations at The Bee Hive. General Special Sale. At Nathan's, 15 S. Main street, for week only, ending July 5th:

MINING PROPERTY FOR SALE—A recent lease and bond on our property in Unionville having ispeed by the non-action and disappearance of Mr. Flannery, the leasee, it is again tor sale. A large Daniels planer and a Burleigh compressor and drill for sale; five days. National Mining and Exploring Company. S. J. Jones, agent. Twenty-five dozen Lisle thread hose 50 cents a pair, well worth 75 cents. Twenty-five dozen linen towels, large size, at 25 cents each, worth 40 cents. Ten dozen silk mits at 15 cents a pair. FOR SALE—One hundred head of stock cattle well graded. The larger portion are cows. u ill sell cows and steers separately if desired; also three thoroughbred buils. For particulars inquire at this office.

Lamps and glassware of all kinds very cheap at The Bee Hive.

HELENA IN BRIEF G. W. Jackson, music dealer. Dinner from 12 to 5 at the Bon Ton. James W. Barker, merchant tailor, No

BUY A HOME ON THE INSTALLMENT PLAN \$1,200.

COOD 4-room house on Lewis street in block 47, N. P. addition; \$300 down,

NEW elegant cottages on Lynndale avenue in block 21; motor on one side of the block and street cars on the other. Two new cottages on Lewis T., Pacific hotel.

WANTED-A young man who has had experience as accountant and cierk, desires a position in store, is willing to take any position, and will give best of references. Address G. E. side of the block and street cars on the other. Two new cottages on Lewis street near Helena avenue. Each house contains four good rooms, pantry, 2 clears cellar: good outbuildings; Chess-dress B. T, Independent office. WANTED—By a first-clase amaigamator a position in a gold mill. Address H. L. Bracd, Helena. \$1,600 EACH. O NEW handsome cottages on Madison

avenue, to be completed by August Helena this week to locate a branch from Pony to Red Bluff, to connect with the Butte-Galiatin branch.

the house on the sewer farm was awarded to A. D. Guy. Carried and the matter was referred to the committee on public lots. New cottage on Alta streat lot 200 SITUATION WANTED—A steady young man desires position as assistant bookkeeper or stenographer. Address A. B., box 757, Butte, Mont.

LIANDSOME new cottage on Ninth 11 avenue; \$300, \$35 a month. O COMMODIOUS houses on Fifth ave onue, 4 rooms, 3 closets, pantry, city water; \$300 down and \$40 per month. 500 MEN WANTED on Gallatin-Butte line railroad; wages \$2 per day; board \$5.25 per week. Apply to Green & Keefe, South Butte, Mont. DESIRABLE new 5-room dwelling, Fifth avenue; \$300 down, \$40 per

For Rent-Dwellings, Business Places , Etc. WELL-ARRANGED 6-room dwelling in course of erection on Madison avenue, good out-buildings, fences, Woolston water; will be ready for occupancy about Aug 1; \$300 down, \$30 per

NUMEROUS other dwellings at various prices and on very reasonable terms. We merely quote the above as samples of nes on easy terms. MATHESON & STEELE,

HELENA Concrete

12916 North Main Street.

CONCRETE SIDEWALKS

Street Pavements, Basement Floors, DRIVEWAYS.

the Hot or Cold Process. All work guaranteed.

Residence, 315 Montana avenue. P. O. Box 384, HELENA, MONT.

Real Estate. Rooms 5 and 6, Union Block.

Feet Best Main Street Property, \$500

per foot. 100 Feet Main Street Property, \$10,000. 144 Feet, corner Lyndale avenue and Main street, \$7,500. 50 Feet Main Street Property, \$2,750. south line of said addition north to the twenty-foot alley intersecting proposed blocks Nos. 16, 17, 18. He stated that the 50 Feet on Tenth avenue, near Warren,

age on two streets, very cheap,for \$280 400 Feet in Northern Pacific Second addition, \$2,000. -Lots in all additions

ences, from \$800 to \$15,000. veral fine acre tracts will be sold very cheap.
Ranches in Montana and Dakota for sale, or will exchange for Helena

CHAS. S. BLTINGE, Agent at Butte City.

HELENA, M. T.

ARGE amounts of money to loan on improved and unimproved city real estate and on noises at low rates. C. F. Ellis & Co., insurance WANTED-A few scholars for plane; terms very reasonable. Address M., this office. WANTED-10,000 men wanted to examine Sam Cohen's (next door to Montans Cen-tral office) immense stock o. fine cigars and Cali-fornia fruit at bedrock praces. In Sums to Suit on From Six Months to Five Years Time

on Real Estate Security. MONEY to losn on improved Helens property.
Time and terms to suit. Jno. S. M. Neili,
come 6 and 7, Ashby building. Money on Hand. No Delay. Cash Paid for Real Estate WANTED-A man with several teams to hand wood. For information address or apply to F. A. Schmidt, Elliston, Mont. Mortgages, by W. H. CLARK & Son, Gen. Agt's

OANS on improved real estate at low rates of interest. FOLK & DEVINE. NORTHWESTERN Guaranty Loan Co. DeLACY, LOEB & CO., Real Estate, Mortgage Loan and Insur-ance Agents, Rooms 20 and 21 Gold Block, Telephone 266. P. O. Box 144. Minneapolis, Minnesota.

Board of Trade Room, Pittaburg Block, Heleno

\$100,000 to loan in sums to suit, at lowest rates on first mortgage on real estate. Call and be convinced,

Notice of Dissolution. The partnership heretofore existing under the ame of Harris & Alexander is this let day ouly, A. D. 1889, dissolved by mutual consent.

Gold Block.

A GENTS for Bradford, Brooke, Ames, Bellevue and Highland Park addi-

COLLEGE PLACE.—Now is the time to buy acres at the College. Motor line to be built to this tract at once.

SEYMER PARK.—Lots close to new hotel cheap.

\$6500 FOR a fine two-story brick residence on one of our best streets; has eight rooms and all modern appliances For anything in real estate or insurance call or NEW TRACT near Broadwater hotel N soon to be offered. Lots cheap. W. F. CUMMINS. Profits assured.

> PORTER, MUTH & COX, GOLD BLOCK.

REAL ESTATE THOMAS CRAHAN & CO.

\$100 per foot for 33 feet on Helena av enue and Rodney, one-third cash, bal-\$4750 for 8-room brick on Ninth avenue.
This is a modern house, having fine bath room, hot and cold water, gas, etc, closets and good cellar. One-fourth cash, balance to suit.
\$1350 for two choice lots in Lockey addition one block from East Side, exhaulting the college of the col tion, one block from East Side school. \$450 each for three lots on Second street.

from Helena, 155 acres, with plenty of water; title perfect. erty belonging to the Foller estate. This property now rents for \$370 per per month.

erty and a good investment. \$500 for large lot in C. W. Cannon addition. Terms to suit. \$26 per foot for two choice lots in Cen-

tral addition No. 3. \$1200 for 100x150 feet in Grand avenue Corner. South front. Easy terms. \$1900 for 150x140, corner, one block east of Judge McConnell's resid nce. \$325 each for four lots in Flower Garden addition, opposite church, in block 13 \$625 each for two nice level lots on Davis street. \$425 for lot 50x140 in Northern Pacific No. 1 and house 12x20. \$60 per foot for two choice corners or

Ewing.

mines and mining stocks. T. CRAHAN & CO., Thompson Block, Room 10, opposite Crand Central Hotel.

Choice residences and ranch property,

We Are Preparing for

Another. Dry Goods at Greatly Reduced Prices is the Key-Note Here. Our Entire Stock of Linens at Special Sale This Week-Big Enough for a Mormon Ta-ble and Some to Spare.

There was a continuous rush here all last week, as the many who formed the daily crowds well know. It shows that dry only an advantage to you but also to us, because of the large increase in trade which results. Dry goods here at reduced prices will also attract out-of-town trade and this will be an advantage to every other line of business in this city. What we advertise you can depend upon, for advertising that disappoints the public is a positive and widespread injury to the adver-

tiser, the extent of which it is

hard to estimate. Turkey red table linens, napkins, doylies, table sets, towels etc. It will include about eighty table sets-cloths and napkins -in white, with borders of red and blue. The cloths are long enough for a Mormon table and as much to "hang over" as both fashion and utility can possibly demand. Our Mr. Raleigh was induced to buy these table sets because of their cheapness. They were marked to sell at \$5.50 a set and in the judgment of the writer they would be good value at \$6.50. The price during this sale will be \$3.90 for the choice; they are all linen Don't delay, or you will be too late. See South display window. White and fancy napkins re-

duced per Doz. as follows. \$1 to .75,\$1.50 to \$1,\$2.50 to\$2, \$3 50 to \$2.75, \$5.50 to 4.25 Our entire stock of towels reduced from \$1 to \$3 a Doz; that is to relieve the statement from ambiguity, \$3 a doz. towels for for \$2 etc

Bedspreads are also included in this sale, and at 85c. \$1.25 and \$2.50, we show such values as we believe cannot be had elsewhere in Montana. About fifty novelty parasols the most exquisite ever shown in this city remain and will be sold at the following reduced prices: \$5 for \$3; \$9 for \$6; \$10.50 for \$7 \$12 50 for \$8.50; \$15 for \$10; \$18 for \$10 50.

A few embroidered robes have survived the rush and you can buy them at a reduction of several dollars on each robe. We each a few days previous. A large assortment of lawns at 3 cents a vard.

A few colored embroideries that sold at from 40 to 75 cents a yard reduced to 10 cents a Come in the mornings, if you can, and avoid the crowd.

RALEIGH & CLARKE.

N. B.—Mail orders will receive prompt and careful attention, and special sale prices.

Grand Di tribution Sale of Ladies' Muslin Underwear, at

WANT COLUMN. Porter, Muth & Cox, Sands

We propose to make Rome howl this week in this department. We have too many Ladies' Night Gowns, too many Chemise and too many Muslin Drawers, and the low price at which we are offering these garments will no doubt astonish you, but our loss is your gain, so down go the prices.

LADIES' MUSLIN DRAWERS-Ladies' Muslin Drawers. with 3-inch ruffle and tucks, 25c per pair. Ladies' Drawers, 3inch ruffles and fine muslin, 50c per pair. Ladies' Drawers,

Hamburg edge and tucks, 65c per pair. LADIES' CHEMISE-Ladies' Chemise, with 2-inch ruffle, at

25c each. Ladies' Chemise, Hamburg and lace trimming, at 40c each. Ladies' Chemise, fine Hamturg and fine muslin, \$1 each. LADIES' NIGHT DRESSES-Ladies' Night Dresses, lace SMALL payment down and \$25 per trimming, fine muslin, at 50c each. Ladies' Night Dresses, 2-A month will buy a fine residence inch ruffle, fine tucks, at 65c each. Ladies' Night Dresses, fine near Motor line. Water and all conmusion 3 insertions 16 tucks at 90c each. Ladies' Night Dressmuslin, 3 insertions, 16 tucks, at 90c each. Ladies' Night Dress-

es, fine muslin, 4 insertions, 16 tucks, at \$1.20 each. LADIES' DRESSING SACQUES-Our assortment of Ladies' Dressing Sacques is now complete. Splendid values at \$1.50, \$2 and \$3.25 each.

LADIES' HOSE-A great bargain in Ladies' Fancy Cotton Hose at \$1 a dozen. ORIENTAL LACE FLOUNCING-40 inch Oriental Lace Flouncing at 25e and

JERSEY RIBBED VESTS-We have just received another case of Ladies' Jersey Ribbed Vests at 15c each. FOURTH OF JULY-We have a large assortment of red, white and blue bunting and flags for decorating purposes; also, a nice assortment of red, white and blue ribbon at low prices.

Very Serious, Indeed!

It is a question of money with ninety-nine in a hundred what clothes they shall wear. You are not a sure judge of Clothingnobody is. The best judges do not pretend to be. Nobody can be, really, who is not in the active Clothing trade. Why, then, \$25,000 for Main and Clore street propis it a question of money?—take it all in all, to you that make it so-for ninety-nine in a hundred don't go wrong in a question of money. We venture to assert that our Clothing is less costly 11,500 for Pelican saloon building on and more reliable than many others. That is, take it steadily Wood street. This is a choice prop- week in and week out. We call attention to the very big fact, \$5250 for a 6-room brick on Howie street, west side, low 84x270 feet. Look this and quality. It is by this union of reliability and quality that our name has received its meaning and following in trade. Our title to your patronage is simple. We clothe you better. We charge you less.

Corner Main and Broadway.

SOMETHING NEW!

Telephone 270. A Modern Drug Store in Our Midst RALEIGH & CLARKE. Everything New and Neat. Comfortable Easy Chairs. A Clean A Rush All Last Week, and and Carpeted Floor. Clerks who are anxious and willing to do all in their power to please customers. A Prescription Department in perfect order. Physicians' prescriptions dispensed as promptly as is consistent with care. The above are all to be

> Helena Pharmacv, 115 N. Main St., Holter Block

R. W. NEILL.

goods at reduced prices are not Stock Saddles, Side Saddles, Light and Heavy Harness,

Bits, Spurs, Quirts, Whips, Lashes, Blankets, Sheets, Dusters, Slickers, Nose Bags, Sweat Collars, Horse Boots and all other goods usually kept in a first-class harness store. Hand made driving harness a specialty. Opposite Grand Central Hotel, Main St., Helena, M. T. THE METROPOLITAN.

PHILIPSBURG, MONTANA. Formerly SPAREY'S HOTEL Run on Both American and European Plans. Sample Rooms for Commercial Men.

Beginning Monday morning we will hold a special sale of linens, which will include our entire stock of white, fancy and

Mrs T. H. MORSE, Proprietess.

F. L. SIZER, General Manager.

WHITEHEAD'S. 117 BROADWAY.

HELENA Pressed Brick Company

and Other Clay Products.

TEICHERT & WICK, Prop'rs-ATLAS BLOCK, ENTRANCE ON JACKSON STREET;

The Most Elegant Lunches in the City. MILWAUKEE BEER ON TAP.

BARGAINS! Now is the Time to Buy!

have sold dozens of them during this sale. A lady paid us \$3 50 each for three last week that would have cost her \$10 ADDITION.

> PRICES LOW, TERMS EASY, INTEREST 8 P FRENCH & PYFER, So

Rooms 11 and 11 1-2 Pittsburg Block.

200 The Independe PROMPT Commercial Prin Show P

VOL 30--NO. 18

HARRIS. The ONE-PRICE Clo ST. LOUIS BLOCK,

MAIN STREET.

In our show window you see some tidbits that we ar fering this week. Take a in the one on the north and will see some of the pre styles of cheap underwear shown in this city. The pattern at \$1 a suit would the cake were it not for delicate red and blue stri suit of which you can occu you are the happy posesso

60 cts. Sale lasts but this w

You are probably aware the advent of warm weather given a great impetus to ness-not that we were but we do say that trade si the effect of Old Sol bear upon it. because a week age trade seemed to know but thing, and that was that ought to go to Harris' and a suit, but it was horses' to learn from them what wanted. They were irresol hesitating between a fur and a linen duster, but nov change comes o'er," etc.know what they want and for it. It is "a cheap (c first) good summer suit,'

they know where to get it. Our trade the past month been something incredible. never have had particular o sion to join the Club," but-our business increased to such an e that we feel we owe an ob tion to our patrons for more than liberal patrons and hereby acknowledge it We sometimes wonder v

gives occasion for people to

mark, "Why, Harris,

store is the only one in that seems to be doing any iness." We might tell with some degree of truth the reason therefor lay in fact that we work harder ments to trade and show a ter selected stock than house in Helena or the te tory. Now, one of the spec inducements we offer is our l of medium priced suits. man of ordinary intelligence aware that it is not a worthy of mention to sell priced goods at low prices, it is a point worthy of consid ation to sell good, durable a cles, and at low prices. I the tricksters' favorite game cut in price, parade the with loud noise and a flour of trumpets, and at the sa time conceal the fact that he cutting in quality, also. are forced to these remarks priced suits have marked go to similar prices, but matched them in quality. will show them a trick wor just a few of those Ten Do Suits left, some sixty three all. Now, as a matter of they will be gone by the end the week, so anyone wanti

The south window shows mazy complication of haberda hery that makes you think the prize window dressing the metropolis. It is the wo of the inimitable Nash, and an of the thcusand nobby, stylis and durable WIPES you the will see can be bought 12 1-2c this week or till so

tnem had better pile in as so

as the announcement is made

or they will all be gone.

HARRIS,

ONE-PRICE CLOTHIER St. Louis Block, Main St,

N. B .- Out of town orders will receive our best attention.

Goods sent on approval to any part of the territory. Price list and rules for self-measurement mailed free on application.

HELENA, M. T.